

Appln. No.: 09/767,627
Amdt. dated 09/27/04
Reply to Office Action of 06/28/04

REMARKS

Claims 1-40 are pending; claims 13 and 16-40 are withdrawn, and therefore claims 1-12, 14 and 15 remain for consideration.

Claims 1-9, 11, 12, 14 and 15 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Morrison (U.S. Pat. No. 5,386,750). The rejection is traversed and reconsideration is respectfully requested.

Morrison is directed to a detachable hair-trimming attachment for a disposable safety razor which has a frame and a plurality of spaced, parallel teeth which extend above and perpendicular to the razor blade. The frame has an opening which exposes the blade to hair to be trimmed, the hair being guided to the blades by the teeth. The frame is designed with detachable fasteners which engage corresponding inter-engaging fasteners on the shaving head of the razor.

As shown in FIG. 1 of Morrison, a standard razor 10 has a removable, comb-like cover 16. The cover 16 includes various comb teeth 18 which are spaced from and disposed atop the blades when attached to the razor. The cover 16 and the teeth 18 formed thereon are separate from and thereby do not form part of the razor blade cartridge (i.e. shaving head 14). It therefore follows that the teeth 14 – as part of the removable cover 16 – do not serve as guard ribs that are integrally formed with a plastic body of a razor blade cartridge, as generally recited in claim 1 of the present application.

Moreover, the blades shown in Morrison are not encompassed by guard ribs as generally recited in claim 1 of the present application. The comb teeth 18 of Morrison are spaced above the blades, but do not extend around the cutting edges of the blades from a location above the upper surface of the blades to a position below the surface of the blades so as to encompass the blades or cover the cutting edges of the blades. In sum, Morrison does not teach or suggest guard ribs that encompass blades or cover the cutting edges of the blades as generally recited in claim 1 of the present application.

For an anticipation rejection to be appropriate, each and every element or limitation in a rejected claim must be shown in a single prior art reference used in the claim rejection. Because Morrison does not disclose, teach or suggest a razor blade cartridge comprising a body including integrally formed guard ribs, and because Morrison does not disclose, teach or suggest cutting blades having portions

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encompassed by the guard ribs, wherein the guard ribs cover the cutting edges of the blades, it cannot be maintained that claim 1 is anticipated by Morrison. Moreover, because claims 2-9, 11, 12, 14 and 15 each ultimately depend from and thereby incorporate the limitations of claim 1, these dependent claims are not anticipated by Morrison for at least the reasons set forth for claim 1.

Claims 1-9, 11, 12 and 14 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Lee et al. (U.S. Pat. No. 5,794,343). The rejection is traversed and reconsideration is respectfully requested.

Lee et al. is directed to a razor blade assembly including an elongate platform supporting a pair of blades and an elongate guard member disposed adjacent to a forward edge of the platform. The guard member has a plurality of fins each spaced one from the other. In preferred embodiments each fin has its uppermost surface below a rearwardly disposed fin and the uppermost surfaces collectively lie on an outwardly convex arcuate surface. Each successively rearward fin is inclined more towards the leading blade edge than the preceding adjacent fin. The elongate platform is provided with a plurality of apertures extending through the platform between a plurality of webs, and the guard member is molded in place onto the platform. Portions of the guard member material flow through the apertures and surround webs during the molding process to maintain the guard member in place.

Lee et al. also shows a razor blade assembly having two end portions of a cap member 18 (see FIG. 2) that the Examiner alleges act as "guard ribs". However, the "guard ribs" which the Examiner refers to are the sidewalls of the body of the cartridge which abut the side edges of the blades. Guard ribs are known by those of ordinary skill in the pertinent art to be distinct from and spaced inwardly from the sidewalls of a razor cartridge. Guard ribs are spaced inwardly from the sidewalls in order to protect a portion of a user's skin which passes over a usable portion of the cutting edges of blades. Sidewalls do not serve such protection because the sidewalls are disposed laterally beyond the usable portion of the cutting edges. U.S. Pat. No. 6,568,084 to McCool et al., for example, shows guard ribs 140, 142 and 144 as distinguishable over the sidewalls of the razor cartridge.

Further, claim 1 of the present application recites cutting blades having portions encompassed by guard ribs. The sidewalls of the cartridge in Lee et al. do not encompass cutting blades, but rather merely abut the sides of the blades.

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For an anticipation rejection to be appropriate, each and every element or limitation in a rejected claim must be shown in a single prior art reference used in the claim rejection. Because Lee et al. does not disclose, teach or suggest a razor blade cartridge including guard ribs, and does not disclose, teach or suggest cutting blades having portions encompassed by guard ribs, it cannot be maintained that Lee et al. anticipates claim 1. Moreover, because claims 2-9, 11, 12 and 14 each ultimately depend from and thereby incorporate the limitations of claim 1, these dependent claims are not anticipated by Lee et al. for at least the reasons set forth for claim 1.

Claim 10 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Morrison (U.S. Pat. No. 5,386,750) in view of Althaus (U.S. Pat. No. 5,447,084). The rejection is traversed and reconsideration is respectfully requested.

Althaus is directed to improving the method for fixing protective strands to a razor head. The razor head is provided with a plastic body having an upper side that defines a surface for engaging the skin of the user, with the plastic body also having a front side and a back side. A razor blade unit is disposed in the plastic body. A series of strands are spaced along the length of the blade unit and are fixedly attached directly to the blade unit.

Apparently Althaus is cited for showing a glide or antifriction strip 21. However, claim 10 ultimately depends from and thereby incorporates the limitations of claim 1. It has already been demonstrated above that Morrison contains insufficient teaching to anticipate claim 1. It therefore follows that Althaus also contains insufficient teaching when taken either alone or in combination with Althaus to render claim 10 obvious.

Claim 10 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lee et al. (U.S. Pat. No. 5,794,343) in view of Althaus (U.S. Pat. No. 5,447,084). The rejection is traversed and reconsideration is respectfully requested.

Claim 10 ultimately depends from and thereby incorporates the limitations of claim 1. It has already been demonstrated above that Lee et al. contains insufficient teaching to anticipate claim 1. It therefore follows that Lee et al. also contains insufficient teaching when taken either alone or in combination with Althaus to render claim 10 obvious.

In view of the foregoing, it is respectfully submitted that claims 1-12, 14 and 15 are in condition for allowance. All issues raised by the Examiner having been

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addressed, an early action to that effect is earnestly solicited.

No fees or deficiencies in fees are believed to be owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any such fees are owed.

Respectfully submitted,

By



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